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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

10
11 PRICHELLE TURNER, an individual,

12 Plaintiff,

13 vs.

14 WALMART, INC., a Delaware
Corporation; and DOES 1 through 100,
15 inclusive,

16 Defendants.

CASE NO. 2:23-cv-1238

**NOTICE OF REMOVAL OF
ACTION UNDER 28 U.S.C. §§ 1332,
1441, AND 1446 (DIVERSITY OF
CITIZENSHIP)**

State Court Docket:
California Superior Court
County of Los Angeles
Case No.: 23NWCV00063

Filing Date: January 9, 2023

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20 TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT
21 COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA.

22 PLEASE TAKE NOTICE that Defendant, WALMART, INC., pursuant to 28
23 U.S.C. §§ 1332, 1441, and 1446, files this Notice of Removal of this civil action from
24 the Superior Court of California for the County of Los Angeles, where it is currently
25 pending as Case No. 23NWCV00063, to the United States District Court for the
26 Central District of California, Western Division.

27 The grounds for removal are as follows:

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1 **I. INTRODUCTION**

2 WALMART, INC., a Delaware corporation, with its principal place of business
3 located in Bentonville, Arkansas, is a defendant in the civil action entitled, Prichelle
4 Turner vs. Walmart, Inc., with case number 23NWCV00063, which was commenced
5 on January 9, 2023, in the Superior Court of the State of California, County of Los
6 Angeles, and is now pending therein. A true and correct copy of the Complaint is
7 attached hereto and incorporated by reference as **Exhibit A**.

8 2. Under 28 U.S.C. 1446, a defendant has thirty days from the date of
9 service to file removal papers. Plaintiff sent to WALMART, INC.'S registered agent
10 copies of the Summons and the Complaint by traceable mail that was postmarked
11 January 9, 2023. (See Service of Process Transmittal, **Exhibit B**.) California *Code*
12 *of Civil Procedure* section 415.40 states the following: "A summons may be served
13 on a person outside this state in any manner provided by this article or by sending a
14 copy of the summons and of the complaint to the person to be served by first-class
15 mail, postage prepaid, requiring a return receipt. Service of a summons by this form
16 of mail is deemed complete on the 10th day after such mailing." Based on the
17 Summons and the Complaint being sent by traceable mail that was postmarked
18 January 9, 2023, to WALMART, INC.'s registered agent, according to California
19 *Code of Civil Procedure* section 415.40, service on WALMART, INC., was deemed
20 complete on January 19, 2023. Based on this service date, the thirty-day window for
21 removal expires on February 18, 2023, which is a Saturday. Rule 6 of the *Federal*
22 *Rules of Civil Procedure* states that when the last day of a specified time period falls
23 on a weekend, the party has until the end of the following business day to file. Thus,
24 pursuant to 28 U.S.C. §§ 1441 and 1446, this Notice of Removal is timely filed.

25 3. As more fully set forth below, this is a civil action over which this Court
26 has original jurisdiction under 28 U.S.C. §1332(a), in that it is a civil action between
27 citizens of different states and the matter in controversy exceeds the sum or value of
28 \$75,000.00, exclusive of interest and costs. Therefore, pursuant to 28 U.S.C. §1441,

1 WALMART, INC. may remove this action to this Court.

2 **II. THIS COURT HAS SUBJECT MATTER JURISDICTION**

3 4. Based on the allegations in paragraph 2 of the Complaint, WALMART,
4 INC. is informed and believes that Plaintiff, PRICHELLE TURNER is a citizen of
5 the State of California, and with regard to citizenship, Plaintiff is diverse from all
6 named Defendant(s) in this action.

7 5. WALMART, INC., is incorporated under the laws of the State of
8 Delaware, and has its principal place of business in Bentonville, Arkansas.

9 6. This is a premises liability action in which Plaintiff, PRICHELLE
10 TURNER seeks significant medical and general damages for injuries sustained as a
11 result of an alleged dangerous condition on Walmart, Inc.'s premises. Plaintiff,
12 PRICHELLE TURNER alleges that on February 22, 2022, she visited a Walmart
13 located at 12701 Towne Center Drive, Cerritos, California, 90703, and stepped on
14 something "slippery" on the floor, causing her to fall on her right shoulder and hand.
15 She further alleges to have injured her right shoulder, back, and ankle as a result of
16 the fall. (Complaint, paragraphs 3-7.) Plaintiff, PRICHELLE TURNER prays for
17 compensatory damages for pain and suffering, medical expenses, and loss wages.
18 (Complaint, paragraphs 28-30.) On October 6, 2022, Walmart, Inc., received a
19 settlement demand letter from Plaintiff Prichelle Turner identifying \$16,650.00 in
20 past medical expenses, \$50,000.00 to \$70,000.00 in future medical expenses, and
21 \$2,990.00 in lost earnings for a total settlement demand of \$225,000.00. As such, the
22 amount in controversy, exclusive of interest and costs, exceeds the sum of
23 \$75,000.00. This court has original jurisdiction over this action under 28 U.S.C. §
24 1332.

25 7. This petition is filed with this court within one year from the filing of the
26 action in accordance with 28 U.S.C. § 1446(b).

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1 **III. DEMAND FOR JURY TRIAL**

2 Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Defendant
3 Walmart, Inc., hereby demands trial by jury in this action.

4
5 DATED: February 17, 2023

MURCHISON & CUMMING, LLP

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7 By: Christopher M. McDonald
8 Christopher M. McDonald
9 Attorney for Defendant, WALMART, INC.
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Exhibit A

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SUMMONS

(CITACION JUDICIAL)

FOR COURT USE ONLY
(SOLO PARA USO DE LA CORTE)

NOTICE TO DEFENDANT:
(AVISO AL DEMANDADO):

WALMART, INC., a Delaware Corporation; and DOES 1 through 100,
inclusive

YOU ARE BEING SUED BY PLAINTIFF:
(LO ESTÁ DEMANDANDO EL DEMANDANTE):

PRICHELLE TURNER, an individual

NOTICE! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read the information below.

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a court form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association. **NOTE:** The court has a statutory lien for waived fees and costs on any settlement or arbitration award of \$10,000 or more in a civil case. The court's lien must be paid before the court will dismiss the case. **¡AVISO!** Lo han demandado. Si no responde dentro de 30 días, la corte puede decidir en su contra sin escuchar su versión. Lea la información a continuación.

Tiene 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.sucorte.ca.gov), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de exención de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de lucro. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services, (www.lawhelpcalifornia.org), en el Centro de Ayuda de las Cortes de California, (www.sucorte.ca.gov) o poniéndose en contacto con la corte o el colegio de abogados locales. **AVISO:** Por ley, la corte tiene derecho a reclamar las cuotas y los costos exentos por imponer un gravamen sobre cualquier recuperación de \$10,000 ó más de valor recibida mediante un acuerdo o una concesión de arbitraje en un caso de derecho civil. Tiene que pagar el gravamen de la corte antes de que la corte pueda desechar el caso.

The name and address of the court is:
(El nombre y dirección de la corte es): Norwalk Courthouse
12720 Norwalk Blvd.
Norwalk, CA 90650

CASE NUMBER:
(Número del Caso):

23NWCV00063

The name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:
(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):
Simonian & Simonian PLC; 144 N. Glendale Ave. Ste 228, Glendale, CA 91206; 818-405-0080

DATE: 01/09/2023
(Fecha)

David W. Slayton, Executive Officer/Clerk of Court

Clerk, by

(Secretario)

E. Chanes

, Deputy
(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons, (POS-010)).



NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.
2. ☐ as the person sued under the fictitious name of (specify):
3. ☐ on behalf of (specify):

under: <input type="checkbox"/> CCP 416.10 (corporation)	<input type="checkbox"/> CCP 416.60 (minor)
<input type="checkbox"/> CCP 416.20 (defunct corporation)	<input type="checkbox"/> CCP 416.70 (conservatee)
<input type="checkbox"/> CCP 416.40 (association or partnership)	<input type="checkbox"/> CCP 416.90 (authorized person)
<input type="checkbox"/> other (specify):	
4. ☐ by personal delivery on (date):

SIMONIAN & SIMONIAN, PLC
 SHIRAZ SIMONIAN (SBN 247150)
 Email: shiraz@simonianlawfirm.com
 SEVAG SIMONIAN (SBN 279232)
 Email: sevag@simonianlawfirm.com
 144 North Glendale Ave., Suite 228
 Glendale, CA. 91206
 Tel: 818-405-0080
 Fax: 818-405-0082

Attorneys for Plaintiff
 PRICHELLE TURNER

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
 FOR THE COUNTY OF LOS ANGELES**

PRICHELLE TURNER, an individual

 Plaintiff,

v.

WALMART, INC., a Delaware Corporation; and
 DOES 1 through 100, inclusive,

 Defendant(s).

CASE NO.:

Unlimited Jurisdiction

**COMPLAINT FOR DAMAGES AND
 DEMAND FOR JURY TRIAL**

(1) PREMISES LIABILITY

(2) GENERAL NEGLIGENCE

COMES NOW the Plaintiff PRICHELLE TURNER (hereinafter, "PLAINTIFF"), and for cause of action against the defendant WALMART, INC. (hereinafter, "WALMART") and DOES 1 through 100 (collectively herein referred to as the "Defendants") and for each of them allege:

GENERAL ALLEGATIONS

1. PLAINTIFF believes, and based on such belief alleges, that WALMART is, and at all relevant times herein mentioned was, a corporation organized under the laws of the state of Delaware, and is authorized to conduct business in the state of California. PLAINTIFF further believes, and based on such belief alleges, that WALMART conducts business at 12701 Towne Center Drive, Cerritos, California 90703 ("the "PREMISES"). PLAINTIFF further believes, and based on such

1 belief alleges, that WALMART was the owner, operator, manager, and of the PREMISES identified
2 in this complaint.

3 2. PLAINTIFF is, and at all relevant times herein mentioned was, a resident of the County of
4 Los Angeles, State of California.

5 3. On Or around February 22, 2022, PLAINTIFF visited WALMARTS PREMISES to do
6 some shopping. As PLAINTIFF walked to the self-checkout counter at the PREMISES, she slipped
7 on something slippery on the floor and fell on her right shoulder and hand, the latter of which she
8 placed underneath her body as a reflex to break her fall. PLAINTIFF suffered from severe pain to her
9 right shoulder, back, and ankle as a result of the aforementioned fall. PLAINTIFF reported the incident
10 to Julio Morales, a WALMART associate, and an incident report was prepared as a result.

11 4. As a result of the dangerous condition at WALMART's PREMISES, PLAINTIFF
12 immediately slipped and fell onto the floor, landing on her right shoulder and hand, in addition to
13 suffering other injuries. Accordingly, PLAINTIFF was injured in her health, strength, and activity,
14 sustaining serious injuries to his body, mind, and nervous system.

15 5. PLAINTIFF is informed and believes and thereupon alleges that WALMART had or
16 should have noticed this dangerous condition upon the PREMISES. WALMART had a duty to warn,
17 inspect and make safe its property for the use of patrons such as PLAINTIFF. PLAINTIFF was forced
18 to endure severe injuries and damages resulting from this dangerous condition at the PREMISES.

19 6. All of said injuries have caused, and continue to cause, PLAINTIFF endured great mental
20 and physical pain and suffering, all to the PLAINTIFF's general damage in an amount in excess of the
21 jurisdictional minimum of this court.

22 7. Each of the acts, events and injuries alleged hereinafter took place on or around February
23 22, 2022 at the WALMART PREMISES located at 12701 Towne Center Drive, Cerritos, California
24 90703.

25 8. The true names and capacities, whether individual, corporate, associate or otherwise, of
26 defendants DOES 1 through 100, inclusive, are unknown to PLAINTIFF, who therefore sues said
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1 defendants by such fictitious names, and PLAINTIFF will seek leave of court to amend this Complaint
2 to show the true names and capacities thereof when the same has been ascertained.

3 9. PLAINTIFF is informed and believes and thereon alleges that each defendant, designated
4 herein as a DOE, is responsible, negligently or in some other manner for the events and happenings
5 herein referred to, and thereby proximately caused injuries and damages to the PLAINTIFF as
6 hereinafter alleged.

7 10. PLAINTIFF is informed and believes, and thereon alleges, that at all times herein
8 mentioned defendants WORLDMARK and DOES 1 through 100 (collectively hereinafter,
9 "Defendants") and each of them, were the agents and employees of each of the remaining defendants
10 and were at all times acting within the purpose and scope of said agency and employment.

11 **FIRST CAUSE OF ACTION**

12 ***PREMISES LIABILITY***

13 **(Against all Defendants)**

14 11. PLAINTIFF hereby incorporates and alleges all of the facts stated herein above, as though
15 fully set forth at length herein.

16 12. PLAINTIFF is informed and believes, and upon such information and belief alleges, that
17 at all times herein mentioned, Defendants, were the owners, and was obligated to maintain, control
18 supervise and inspect the PREMISES to ensure the PREMISES was free from any and all dangerous
19 conditions to their patrons.

20 13. On or February 22, 2022, Defendants knew or should have known, that the PREMISES
21 was dangerous and improperly maintained due to a slippery substance on the ground next to the self-
22 checkout counter at the PREMISES, creating an extremely slippery and hazardous area on the floor,
23 which would make it reasonably foreseeable that a patron of the PREMISES would slip and fall.

24 14. PLAINTIFF is further informed and believes that Defendants had actual and/or
25 constructive knowledge of the dangerous condition prior to the PLAINTIFF'S fall as the slippery
26 substance was located at the self-checkout counter, which was a location at the PREMISES frequently
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1 visited by WALMART's customers and numerous employees of WALMART worked at the
2 PREMISES.

3 15. Defendants were careless and negligent with respect to their control, maintenance,
4 supervision and inspection of the PREMISES.

5 16. At the time PLAINTIFF entered the subject WALMART PREMISES, Defendants so
6 negligently owned, operated, managed, maintained, inspected and supervised the PREMISES as to
7 cause a dangerous and hazardous condition to exist on the PREMISES, making it reasonably
8 foreseeable that one of the Defendants' patrons, such as the PLAINTIFF here, would fall and suffer
9 injuries.

10 17. Defendants were cognizant that the PREMISES would be extremely busy and visited by
11 numerous patrons as it is a popular shopping destination. Nonetheless, Defendants failed to use
12 reasonable care to prevent injury to PLAINTIFF, whom Defendants knew or should have known, would
13 be affected by the hazardous condition. Defendants negligently failed to inspect the PREMISES,
14 negligently failed to provide warning of the dangerous condition of the accumulated slippery substance
15 at the self-checkout counter, failed to clean the grounds at the self-checkout counter, and negligently
16 failed to provide safe walking/standing conditions to the PLAINTIFF.

17 18. As a proximate result of Defendants' negligence and their respective failure to maintain,
18 inspect and repair the dangerous condition or to have them repaired within a reasonable time or at all,
19 as alleged above, PLAINTIFF suffered general distress, worry as well as physical injuries all to her
20 general and special damages in an amount to be proven at trial.

21 19. As a further proximate result of Defendants' general negligence and their failure to
22 maintain, inspect and repair the dangerous condition, all as alleged above, PLAINTIFF was required to
23 and did incur medical and related expenses, all to her further damage in an amount to be proven at trial.
24 In addition, PLAINTIFF has been, and continues to be, subject to natural distress arising from having
25 these physical injuries which are damaging his health and destroying her quality of life in an amount
26 not ascertainable at this time but which will be proven at the time of trial.



20. As a further direct and proximate result of the negligence of the Defendants, PLAINTIFF was and is required to and did employ physicians and surgeons, and PLAINTIFF did incur medical and incidental expenses thereby. The exact amount of such expenses is presently unknown and PLAINTIFF will seek leave of court to amend this Complaint to set forth the exact amount thereof when the same has been ascertained.

21. PLAINTIFF is informed and believes, and thereon alleges, that as the direct and proximate result of the negligence of the Defendants, and each of them, PLAINTIFF will, for a period of time in the future, be required to employ physicians, and other medical care providers, and incur additional medical and incidental expenses thereby. The exact amount of such expenses is presently unknown and PLAINTIFF will seek leave of court to amend this Complaint to set forth the exact amount thereof when the same has been ascertained.

22. By reason of the hazardous condition on the PREMISES, PLAINTIFF suffered physical injuries as well as attendant emotional distress and pain and suffering. To date, PLAINTIFF'S injuries have not yet healed.

SECOND CAUSE OF ACTION

GENERAL NEGLIGENCE

(Against all Defendants)

23. PLAINTIFF hereby incorporates and alleges all of the facts stated herein above, as though fully set forth at length herein.

24. On or around February 22, 2022, Defendants were careless and negligent with respect to their control, maintenance, supervision and inspection of the PREMISES. Defendants knew or should have known of the hazardous and dangerous condition of WALMART's PREMISES.

25. Defendants, and each of them, owed a duty of care to PLAINTIFF, as well as all other patrons, to use reasonable skill and due care in maintaining, inspecting and repairing the subject PREMISES.

26. On or about February 22, 2022, the Defendants, and each of them, so negligently failed to maintain, inspect and supervise the subject PREMISES as to cause a dangerous condition to exist on

1 their PREMISES, resulting in the PLAINTIFF slipping and violently falling onto the ground. As a
 2 result, Defendants breached their duty of care owed to PLAINTIFF and actually and proximately caused
 3 the hereinafter described injuries and damages to PLAINTIFF.

4 27. Defendants failed to use reasonable care to prevent injury to the PLAINTIFF, whom
 5 Defendants knew, or should have known, would be affected by the hazardous condition. Defendants
 6 negligently failed to inspect the PREMISES, negligently failed to provide warning of the dangerous
 7 condition, negligently failed to clean up the grounds at the self-checkout counter at the PREMISES,
 8 and negligently failed to provide safe walking and standing conditions.

9 28. As a direct and proximate result of the negligence of the Defendants, and each of them,
 10 PLAINTIFF was injured in her health, strength, and activity, sustaining serious injuries to her body,
 11 mind, and nervous system. All of said injuries have caused, and continue to cause, PLAINTIFF great
 12 mental and physical pain and suffering, all to the PLAINTIFF's general damage in an amount in excess
 13 of the jurisdictional minimum of this court.

14 29. As a further direct and proximate result of the negligence of the Defendants, PLAINTIFF
 15 was and is required to and did employ physicians and surgeons, and PLAINTIFF did incur medical and
 16 incidental expenses thereby. The exact amount of such expenses is presently unknown and PLAINTIFF
 17 will seek leave of court to amend this Complaint to set forth the exact amount thereof when the same
 18 has been ascertained.

19 30. PLAINTIFF is informed and believes, and thereon alleges, that as the direct and proximate
 20 result of the negligence of the Defendants, and each of them, PLAINTIFF will, for a period of time in
 21 the future, be required to employ physicians, and other medical care providers, and incur additional
 22 medical and incidental expenses thereby. The exact amount of such expenses is presently unknown and
 23 PLAINTIFF will seek leave of court to amend this Complaint to set forth the exact amount thereof
 24 when the same has been ascertained.

25 31. The negligence of Defendants, and each of them, was the proximate and legal cause of
 26 PLAINTIFF's injury. It was reasonably foreseeable that harm would result from the Defendants'
 27 negligence. But for the Defendants' negligence, harm would not have resulted to PLAINTIFF.

PRAYER FOR RELIEF

WHEREFORE, for all causes of action, PLAINTIFF prays for judgment against Defendants, and each of them, as follows:

1. General damages according to proof;
2. Special damages according to proof;
3. Loss of past earnings according to proof;
4. Loss of earnings capacity according to proof;
5. Costs of suit incurred herein;
6. Prejudgment interest; and
7. For such other and further relief as the Court may deem just and proper.

DATED: January 9, 2023

SIMONIAN & SIMONIAN, PLC

Shiraz Simonian
SHIRAZ SIMONIAN
Attorneys for Plaintiff
PRICHELLE TURNER



DEMAND FOR TRIAL BY JURY

Plaintiff PRICHELLE TURNER hereby demands a trial by jury.

DATED: January 9, 2023

SIMONIAN & SIMONIAN, PLC

Shiraz Simonian

SHIRAZ SIMONIAN
Attorneys for Plaintiff
PRICHELLE TURNER



ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Shiraz Simonian (SBN 247150) Simonian & Simonian, PLC 144 N. Glendale Ave., Suite 228 Glendale, CA 91206 TELEPHONE NO.: 818-405-0080 FAX NO.: 818-405-0082 ATTORNEY FOR (Name): Plaintiff PRICHELLE TURNER		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 12720 Nowarlk Blvd. MAILING ADDRESS: CITY AND ZIP CODE: Norwalk, CA 90650 BRANCH NAME: Norwalk Courthouse		CASE NUMBER: JUDGE: DEPT:	
CASE NAME: Prichelle Turner v. Walmart, Inc.			
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less)		Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)	

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:
- | | | |
|---|--|--|
| Auto Tort
<input type="checkbox"/> Auto (22)
<input type="checkbox"/> Uninsured motorist (46)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort
<input type="checkbox"/> Asbestos (04)
<input type="checkbox"/> Product liability (24)
<input type="checkbox"/> Medical malpractice (45)
<input checked="" type="checkbox"/> Other PI/PD/WD (23)
Non-PI/PD/WD (Other) Tort
<input type="checkbox"/> Business tort/unfair business practice (07)
<input type="checkbox"/> Civil rights (08)
<input type="checkbox"/> Defamation (13)
<input type="checkbox"/> Fraud (16)
<input type="checkbox"/> Intellectual property (19)
<input type="checkbox"/> Professional negligence (25)
<input type="checkbox"/> Other non-PI/PD/WD tort (35)
Employment
<input type="checkbox"/> Wrongful termination (36)
<input type="checkbox"/> Other employment (15) | Contract
<input type="checkbox"/> Breach of contract/warranty (06)
<input type="checkbox"/> Rule 3.740 collections (09)
<input type="checkbox"/> Other collections (09)
<input type="checkbox"/> Insurance coverage (18)
<input type="checkbox"/> Other contract (37)
Real Property
<input type="checkbox"/> Eminent domain/Inverse condemnation (14)
<input type="checkbox"/> Wrongful eviction (33)
<input type="checkbox"/> Other real property (26)
Unlawful Detainer
<input type="checkbox"/> Commercial (31)
<input type="checkbox"/> Residential (32)
<input type="checkbox"/> Drugs (38)
Judicial Review
<input type="checkbox"/> Asset forfeiture (05)
<input type="checkbox"/> Petition re: arbitration award (11)
<input type="checkbox"/> Writ of mandate (02)
<input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403)
<input type="checkbox"/> Antitrust/Trade regulation (03)
<input type="checkbox"/> Construction defect (10)
<input type="checkbox"/> Mass tort (40)
<input type="checkbox"/> Securities litigation (28)
<input type="checkbox"/> Environmental/Toxic tort (30)
<input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41)
Enforcement of Judgment
<input type="checkbox"/> Enforcement of judgment (20)
Miscellaneous Civil Complaint
<input type="checkbox"/> RICO (27)
<input type="checkbox"/> Other complaint (not specified above) (42)
Miscellaneous Civil Petition
<input type="checkbox"/> Partnership and corporate governance (21)
<input type="checkbox"/> Other petition (not specified above) (43) |
|---|--|--|
2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- | | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties
b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve
c. <input type="checkbox"/> Substantial amount of documentary evidence | d. <input type="checkbox"/> Large number of witnesses
e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
f. <input type="checkbox"/> Substantial postjudgment judicial supervision |
|--|--|
3. Remedies sought (check all that apply): a. ☒ monetary b. ☐ nonmonetary; declaratory or injunctive relief c. ☐ punitive
4. Number of causes of action (specify): TWO (2)
5. This case ☐ is ☒ is not a class action suit.
6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: 1/9/2023

SHIRAZ SIMONIAN

(TYPE OR PRINT NAME)



Shiraz Simonian

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on **all** other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)—Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice—Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach—Seller
Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case—Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ—Administrative Mandamus
Writ—Mandamus on Limited Court Case Matter
Writ—Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal—Labor
Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

SHORT TITLE PRICHELE TURNER v. WALMART, INC.	CASE NUMBER
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CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)

This form is required pursuant to Local Rule 2.3 in all new civil case filings in the Los Angeles Superior Court

Step 1: After completing the Civil Case Cover Sheet (Judicial Council form CM-010), find the exact case type in Column A that corresponds to the case type indicated in the Civil Case Cover Sheet.

Step 2: In Column B, check the box for the type of action that best describes the nature of the case.

Step 3: In Column C, circle the number which explains the reason for the court filing location you have chosen.

Applicable Reasons for Choosing Courthouse Location (Column C)

1. Class Actions must be filed in the Stanley Mosk Courthouse, Central District.	7. Location where petitioner resides.
2. Permissive filing in Central District.	8. Location wherein defendant/respondent functions wholly.
3. Location where cause of action arose.	9. Location where one or more of the parties reside.
4. Location where bodily injury, death or damage occurred.	10. Location of Labor Commissioner Office.
5. Location where performance required, or defendant resides.	11. Mandatory filing location (Hub Cases – unlawful detainer, limited non-collection, limited collection).
6. Location of property or permanently garaged vehicle.	

	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Auto Tort	Auto (22)	<input type="checkbox"/> 2201 Motor Vehicle – Personal Injury/Property Damage/Wrongful Death	1, 4
	Uninsured Motorist (46)	<input type="checkbox"/> 4601 Uninsured Motorist – Personal Injury/Property Damage/Wrongful Death	1, 4
Other Personal Injury/ Property Damage/ Wrongful Death	Other Personal Injury/ Property Damage/ Wrongful Death (23)	<input checked="" type="checkbox"/> 2301 Premise Liability (e.g., dangerous conditions of property, slip/trip and fall, dog attack, etc.)	1, 4
		<input type="checkbox"/> 2302 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, battery, vandalism, etc.)	1, 4
		<input type="checkbox"/> 2303 Intentional Infliction of Emotional Distress	1, 4
		<input type="checkbox"/> 2304 Other Personal Injury/Property Damage/Wrongful Death	1, 4
		<input type="checkbox"/> 2305 Elder/Dependent Adult Abuse/Claims Against Skilled Nursing Facility	1, 4
		<input type="checkbox"/> 2306 Intentional Conduct – Sexual Abuse Case (in any form)	1, 4

SHORT TITLE PRICHILLE TURNER v. WALMART, INC.		CASE NUMBER	
	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Other Personal Injury/ Property Damage/ Wrongful Death		<input type="checkbox"/> 2307 Construction Accidents	1, 4
		<input type="checkbox"/> 2308 Landlord – Tenant Habitability (e.g., bed bugs, mold, etc.)	1, 4
	Product Liability (24)	<input type="checkbox"/> 2401 Product Liability (not asbestos or toxic/ environmental)	1, 4
		<input type="checkbox"/> 2402 Product Liability – Song-Beverly Consumer Warranty Act (CA Civil Code §§1790-1795.8) (Lemon Law)	1, 3, 5
	Medical Malpractice (45)	<input type="checkbox"/> 4501 Medical Malpractice – Physicians & Surgeons	1, 4
		<input type="checkbox"/> 4502 Other Professional Health Care Malpractice	1, 4
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07)	<input type="checkbox"/> 0701 Other Commercial/Business Tort (not fraud or breach of contract)	1, 2, 3
	Civil Rights (08)	<input type="checkbox"/> 0801 Civil Rights/Discrimination	1, 2, 3
	Defamation (13)	<input type="checkbox"/> 1301 Defamation (slander/libel)	1, 2, 3
	Fraud (16)	<input type="checkbox"/> 1601 Fraud (no contract)	1, 2, 3
	Professional Negligence (25)	<input type="checkbox"/> 2501 Legal Malpractice	1, 2, 3
		<input type="checkbox"/> 2502 Other Professional Malpractice (not medical or legal)	1, 2, 3
	Other (35)	<input type="checkbox"/> 3501 Other Non-Personal Injury/Property Damage Tort	1, 2, 3
Employment	Wrongful Termination (36)	<input type="checkbox"/> 3601 Wrongful Termination	1, 2, 3
	Other Employment (15)	<input type="checkbox"/> 1501 Other Employment Complaint Case	1, 2, 3
		<input type="checkbox"/> 1502 Labor Commissioner Appeals	10
Contract	Breach of Contract / Warranty (06) (not insurance)	<input type="checkbox"/> 0601 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	2, 5
		<input type="checkbox"/> 0602 Contract/Warranty Breach – Seller Plaintiff (no fraud/negligence)	2, 5
		<input type="checkbox"/> 0603 Negligent Breach of Contract/Warranty (no fraud)	1, 2, 5
		<input type="checkbox"/> 0604 Other Breach of Contract/Warranty (no fraud/ negligence)	1, 2, 5
		<input type="checkbox"/> 0605 Breach of Rental/Lease Contract (COVID-19 Rental Debt)	2, 5
	Collections (09)	<input type="checkbox"/> 0901 Collections Case – Seller Plaintiff	5, 6, 11
		<input type="checkbox"/> 0902 Other Promissory Note/Collections Case	5, 11
		<input type="checkbox"/> 0903 Collections Case – Purchased Debt (charged off consumer debt purchased on or after January 1, 2014)	5, 6, 11
		<input type="checkbox"/> 0904 Collections Case – COVID-19 Rental Debt	5, 11
	Insurance Coverage (18)	<input type="checkbox"/> 1801 Insurance Coverage (not complex)	1, 2, 5, 8

SHORT TITLE PRICHELLE TURNER v. WALMART, INC.		CASE NUMBER	
	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Contract (Continued)	Other Contract (37)	<input type="checkbox"/> 3701 Contractual Fraud	1, 2, 3, 5
		<input type="checkbox"/> 3702 Tortious Interference	1, 2, 3, 5
		<input type="checkbox"/> 3703 Other Contract Dispute (not breach/insurance/fraud/negligence)	1, 2, 3, 8, 9
Real Property	Eminent Domain/Inverse Condemnation (14)	<input type="checkbox"/> 1401 Eminent Domain/Condemnation Number of Parcels _____	2, 6
	Wrongful Eviction (33)	<input type="checkbox"/> 3301 Wrongful Eviction Case	2, 6
	Other Real Property (26)	<input type="checkbox"/> 2601 Mortgage Foreclosure	2, 6
		<input type="checkbox"/> 2602 Quiet Title	2, 6
		<input type="checkbox"/> 2603 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2, 6
Unlawful Detainer	Unlawful Detainer – Commercial (31)	<input type="checkbox"/> 3101 Unlawful Detainer – Commercial (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Residential (32)	<input type="checkbox"/> 3201 Unlawful Detainer – Residential (not drugs or wrongful eviction)	6, 11
	Unlawful Detainer – Post Foreclosure (34)	<input type="checkbox"/> 3401 Unlawful Detainer – Post Foreclosure	2, 6, 11
	Unlawful Detainer – Drugs (38)	<input type="checkbox"/> 3801 Unlawful Detainer – Drugs	2, 6, 11
Judicial Review	Asset Forfeiture (05)	<input type="checkbox"/> 0501 Asset Forfeiture Case	2, 3, 6
	Petition re Arbitration (11)	<input type="checkbox"/> 1101 Petition to Compel/Confirm/Vacate Arbitration	2, 5
	Writ of Mandate (02)	<input type="checkbox"/> 0201 Writ – Administrative Mandamus	2, 8
		<input type="checkbox"/> 0202 Writ – Mandamus on Limited Court Case Matter	2
		<input type="checkbox"/> 0203 Writ – Other Limited Court Case Review	2
	Other Judicial Review (39)	<input type="checkbox"/> 3901 Other Writ/Judicial Review	2, 8
		<input type="checkbox"/> 3902 Administrative Hearing	2, 8
<input type="checkbox"/> 3903 Parking Appeal		2, 8	
Provisionally Complex Litigation	Antitrust/Trade Regulation (03)	<input type="checkbox"/> 0301 Antitrust/Trade Regulation	1, 2, 8
	Asbestos (04)	<input type="checkbox"/> 0401 Asbestos Property Damage	1, 11
		<input type="checkbox"/> 0402 Asbestos Personal Injury/Wrongful Death	1, 11

SHORT TITLE PRICHILLE TURNER v. WALMART, INC.		CASE NUMBER	
	A Civil Case Cover Sheet Case Type	B Type of Action (check only one)	C Applicable Reasons (see Step 3 above)
Provisionally Complex Litigation (Continued)	Construction Defect (10)	<input type="checkbox"/> 1001 Construction Defect	1, 2, 3
	Claims Involving Mass Tort (40)	<input type="checkbox"/> 4001 Claims Involving Mass Tort	1, 2, 8
	Securities Litigation (28)	<input type="checkbox"/> 2801 Securities Litigation Case	1, 2, 8
	Toxic Tort Environmental (30)	<input type="checkbox"/> 3001 Toxic Tort/Environmental	1, 2, 3, 8
	Insurance Coverage Claims from Complex Case (41)	<input type="checkbox"/> 4101 Insurance Coverage/Subrogation (complex case only)	1, 2, 5, 8
Enforcement of Judgment	Enforcement of Judgment (20)	<input type="checkbox"/> 2001 Sister State Judgment	2, 5, 11
		<input type="checkbox"/> 2002 Abstract of Judgment	2, 6
		<input type="checkbox"/> 2003 Confession of Judgment (non-domestic relations)	2, 9
		<input type="checkbox"/> 2004 Administrative Agency Award (not unpaid taxes)	2, 8
		<input type="checkbox"/> 2005 Petition/Certificate for Entry of Judgment Unpaid Tax	2, 8
		<input type="checkbox"/> 2006 Other Enforcement of Judgment Case	2, 8, 9
Miscellaneous Civil Complaints	RICO (27)	<input type="checkbox"/> 2701 Racketeering (RICO) Case	1, 2, 8
	Other Complaints (not specified above) (42)	<input type="checkbox"/> 4201 Declaratory Relief Only	1, 2, 8
		<input type="checkbox"/> 4202 Injunctive Relief Only (not domestic/harassment)	2, 8
		<input type="checkbox"/> 4203 Other Commercial Complaint Case (non-tort/noncomplex)	1, 2, 8
		<input type="checkbox"/> 4204 Other Civil Complaint (non-tort/non-complex)	1, 2, 8
Miscellaneous Civil Petitions	Partnership Corporation Governance (21)	<input type="checkbox"/> 2101 Partnership and Corporation Governance Case	2, 8
	Other Petitions (not specified above) (43)	<input type="checkbox"/> 4301 Civil Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4302 Workplace Harassment with Damages	2, 3, 9
		<input type="checkbox"/> 4303 Elder/Dependent Adult Abuse Case with Damages	2, 3, 9
		<input type="checkbox"/> 4304 Election Contest	2
		<input type="checkbox"/> 4305 Petition for Change of Name/Change of Gender	2, 7
		<input type="checkbox"/> 4306 Petition for Relief from Late Claim Law	2, 3, 8
		<input type="checkbox"/> 4307 Other Civil Petition	2, 9

SHORT TITLE PRICHELE TURNER v. WALMART, INC.	CASE NUMBER
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Step 4: Statement of Reason and Address: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected. Enter the address, which is the basis for the filing location including zip code. (No address required for class action cases.)

REASON: <input type="checkbox"/> 1. <input type="checkbox"/> 2. <input type="checkbox"/> 3. <input checked="" type="checkbox"/> 4. <input type="checkbox"/> 5. <input type="checkbox"/> 6. <input type="checkbox"/> 7. <input type="checkbox"/> 8. <input type="checkbox"/> 9. <input type="checkbox"/> 10. <input type="checkbox"/> 11			ADDRESS: 12701 Towne Center Drive
CITY: Cerritos	STATE: CA	ZIP CODE: 90703	

Step 5: Certification of Assignment: I certify that this case is properly filed in the Southeast District of the Superior Court of California, County of Los Angeles [Code of Civ. Proc., 392 et seq., and LASC Local Rule 2.3(a)(1)(E)]

Dated: 01/09/2023

Shiraz Simonian

(SIGNATURE OF ATTORNEY/FILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form LASC CIV 109 (10/22).
5. Payment in full of the filing fee, unless there is a court order for waiver, partial or schedule payments.
6. A signed order appointing a Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court to issue a Summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the Summons and Complaint, or other initiating pleading in the case.

SUPERIOR COURT OF CALIFORNIA COUNTY OF LOS ANGELES		Reserved for Clerk's File Stamp <div style="text-align: center;"> FILED Superior Court of California County of Los Angeles 01/09/2023 David W. Slayton, Executive Officer / Clerk of Court By: <u>E. Chanes</u> Deputy </div>
COURTHOUSE ADDRESS: Norwalk Courthouse 12720 Norwalk Blvd., Norwalk, CA 90650		
NOTICE OF CASE ASSIGNMENT UNLIMITED CIVIL CASE		
Your case is assigned for all purposes to the judicial officer indicated below.		CASE NUMBER: 23NWCV00063

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

ASSIGNED JUDGE	DEPT	ROOM	ASSIGNED JUDGE	DEPT	ROOM
✓ Olivia Rosales	F				

Given to the Plaintiff/Cross-Complainant/Attorney of Record **David W. Slayton, Executive Officer / Clerk of Court**
 on 01/09/2023 (Date) By E. Chanes, Deputy Clerk

INSTRUCTIONS FOR HANDLING UNLIMITED CIVIL CASES

The following critical provisions of the California Rules of Court, Title 3, Division 7, as applicable in the Superior Court, are summarized for your assistance.

APPLICATION

The Division 7 Rules were effective January 1, 2007. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Division 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment for all purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Independent Calendaring Courts will be subject to processing under the following time standards:

COMPLAINTS

All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 days.

CROSS-COMPLAINTS

Without leave of court first being obtained, no cross-complaint may be filed by any party after their answer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed within 60 days of the filing date.

STATUS CONFERENCE

A status conference will be scheduled by the assigned Independent Calendar Judge no later than 270 days after the filing of the complaint. Counsel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, trial date, and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties to attend a final status conference not more than 10 days before the scheduled trial date. All parties shall have motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested form jury instructions, special jury instructions, and special jury verdicts timely filed and served prior to the conference. These matters may be heard and resolved at this conference. At least five days before this conference, counsel must also have exchanged lists of exhibits and witnesses, and have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Three of the Los Angeles Superior Court Rules.

SANCTIONS

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter Three Rules, orders made by the Court, and time standards or deadlines established by the Court or by the Chapter Three Rules. Such sanctions may be on a party, or if appropriate, on counsel for a party.

This is not a complete delineation of the Division 7 or Chapter Three Rules, and adherence only to the above provisions is therefore not a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading and compliance with the actual Chapter Rules is imperative.

Class Actions

Pursuant to Local Rule 2.3, all class actions shall be filed at the Stanley Mosk Courthouse and are randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be a class action it will be returned to an Independent Calendar Courtroom for all purposes.

***Provisionally Complex Cases**

Cases filed as provisionally complex are initially assigned to the Supervising Judge of complex litigation for determination of complex status. If the case is deemed to be complex within the meaning of California Rules of Court 3.400 et seq., it will be randomly assigned to a complex judge at the designated complex courthouse. If the case is found not to be complex, it will be returned to an Independent Calendar Courtroom for all purposes.



Superior Court of California, County of Los Angeles

ALTERNATIVE DISPUTE RESOLUTION (ADR) INFORMATION PACKAGE

THE PLAINTIFF MUST SERVE THIS ADR INFORMATION PACKAGE ON EACH PARTY WITH THE COMPLAINT.

CROSS-COMPLAINANTS must serve this ADR Information Package on any new parties named to the action with the cross-complaint.

What is ADR?

ADR helps people find solutions to their legal disputes without going to trial. The main types of ADR are negotiation, mediation, arbitration, and settlement conferences. When ADR is done by phone, videoconference or computer, it may be called Online Dispute Resolution (ODR). These alternatives to litigation and trial are described below.

Advantages of ADR

- **Saves Time:** ADR is faster than going to trial.
- **Saves Money:** Parties can save on court costs, attorney's fees, and witness fees.
- **Keeps Control** (with the parties): Parties choose their ADR process and provider for voluntary ADR.
- **Reduces Stress/Protects Privacy:** ADR is done outside the courtroom, in private offices, by phone or online.

Disadvantages of ADR

- **Costs:** If the parties do not resolve their dispute, they may have to pay for ADR, litigation, and trial.
- **No Public Trial:** ADR does not provide a public trial or a decision by a judge or jury.

Main Types of ADR

1. **Negotiation:** Parties often talk with each other in person, or by phone or online about resolving their case with a settlement agreement instead of a trial. If the parties have lawyers, they will negotiate for their clients.
2. **Mediation:** In mediation, a neutral mediator listens to each person's concerns, helps them evaluate the strengths and weaknesses of their case, and works with them to try to create a settlement agreement that is acceptable to all. Mediators do not decide the outcome. Parties may go to trial if they decide not to settle.

Mediation may be appropriate when the parties

- want to work out a solution but need help from a neutral person.
- have communication problems or strong emotions that interfere with resolution.

Mediation may not be appropriate when the parties

- want a public trial and want a judge or jury to decide the outcome.
- lack equal bargaining power or have a history of physical/emotional abuse.

How to Arrange Mediation in Los Angeles County

Mediation for **civil cases** is voluntary and parties may select any mediator they wish. Options include:

a. **The Civil Mediation Vendor Resource List**

If all parties in an active civil case agree to mediation, they may contact these organizations to request a "Resource List Mediation" for mediation at reduced cost or no cost (for selected cases).

- **ADR Services, Inc.** Case Manager Elizabeth Sanchez, elizabeth@adrservices.com
(949) 863-9800
- **Mediation Center of Los Angeles** Program Manager info@mediationLA.org
(833) 476-9145

These organizations cannot accept every case and they may decline cases at their discretion. They may offer online mediation by video conference for cases they accept. Before contacting these organizations, review important information and FAQs at www.lacourt.org/ADR.Res.List

NOTE: The Civil Mediation Vendor Resource List program does not accept family law, probate or small claims cases.

b. **Los Angeles County Dispute Resolution Programs**

<https://hrc.lacounty.gov/wp-content/uploads/2020/05/DRP-Fact-Sheet-23October19-Current-as-of-October-2019-1.pdf>

Day of trial mediation programs have been paused until further notice.

Online Dispute Resolution (ODR). Parties in small claims and unlawful detainer (eviction) cases should carefully review the Notice and other information they may receive about (ODR) requirements for their case.

c. Mediators and ADR and Bar organizations that provide mediation may be found on the internet.

3. Arbitration: Arbitration is less formal than trial, but like trial, the parties present evidence and arguments to the person who decides the outcome. In "binding" arbitration, the arbitrator's decision is final; there is no right to trial. In "nonbinding" arbitration, any party can request a trial after the arbitrator's decision. For more information about arbitration, visit <http://www.courts.ca.gov/programs-adr.htm>

4. Mandatory Settlement Conferences (MSC): MSCs are ordered by the Court and are often held close to the trial date or on the day of trial. The parties and their attorneys meet with a judge or settlement officer who does not make a decision but who instead assists the parties in evaluating the strengths and weaknesses of the case and in negotiating a settlement. For information about the Court's MSC programs for civil cases, visit <http://www.lacourt.org/division/civil/C10047.aspx>

Los Angeles Superior Court ADR website: <http://www.lacourt.org/division/civil/C10109.aspx>
For general information and videos about ADR, visit <http://www.courts.ca.gov/programs-adr.htm>

Exhibit B

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01/13/2023

CT Log Number 543013281

Service of Process Transmittal Summary

TO: KIM LUNDY- EMAIL, Important Note here
Walmart Inc.
GLOBAL GOVERNANCE/CENTRAL INTAKE, 2914 SE I STREET MS#0200
BENTONVILLE, AR 72712-3148

RE: Process Served in California

FOR: WALMART INC. (Domestic State: DE)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: Turner Prichelle, an individual // To: WALMART INC.
Name discrepancy noted.

DOCUMENT(S) SERVED: Letter(s), Notice(s) and Acknowledgment, Summons, Complaint, Demand, Attachment(s), Addendum(s), Notice(s), Alternative Dispute Resolution

COURT/AGENCY: Los Angeles County Superior Court - Southeast District, CA
Case # 23NWCV00063

NATURE OF ACTION: Personal Injury - Slip/Trip and Fall - 02/02/2022, Walmart located at 12701 Towne Center Drive, Cerritos, CA, 90703

PROCESS SERVED ON: C T Corporation System, GLENDALE, CA

DATE/METHOD OF SERVICE: By Traceable Mail on 01/13/2023 postmarked on 01/09/2023

JURISDICTION SERVED: California

APPEARANCE OR ANSWER DUE: Within 30 days after service (Document(s) may contain additional answer dates)

ATTORNEY(S)/SENDER(S): Shiraz Simonian
Simonian & Simonian, PLC
144 North Glendale Ave., Suite 228
Glendale, CA 91206
818-405-0080

ACTION ITEMS: CT has retained the current log, Retain Date: 01/13/2023, Expected Purge Date: 01/18/2023
Image SOP

REGISTERED AGENT CONTACT: C T Corporation System
330 N BRAND BLVD
STE 700
GLENDALE, CA 91203
877-564-7529
MajorAccountTeam2@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the




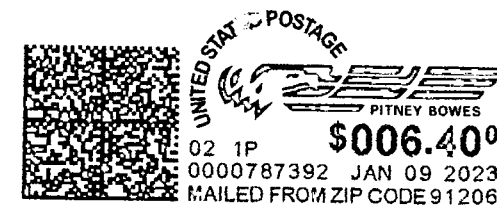
CT Corporation
Service of Process Notification

01/13/2023

CT Log Number 543013281

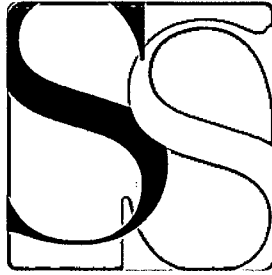
included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

 Simonian & Simonian, PLC
144 N. Glendale Ave., Ste 228
Glendale, CA 91206



Walmart Inc.
c/o CT Corporation Systems
330 N. Brand Blvd., Ste. 700
Glendale, CA 91203





SIMONIAN & SIMONIAN
A Professional Law Corporation

144 North Glendale Avenue, Suite 228 | Glendale, California 91206
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www.simonianlawfirm.com

January 9, 2023

Walmart Inc.
c/o CT Corporation Systems
c/o Amanda Garcia/Gabriela Sanchez
330 N. Brand Blvd.
Glendale, CA 91203

VIA CERTIFIED MAIL
7021 0350 0000 3123 4706

Re: Prichelle Turner v. Walmart, Inc. (Case No. 23NWCV00063)

Dear Gentleperson(s):

Pursuant to the California Secretary of State, you have been designated as the agent for service of process for defendant Walmart Inc. in the above-referenced action. Enclosed please find a self-addressed stamped envelope and copies of the following documents for service of process in the above-referenced matter:

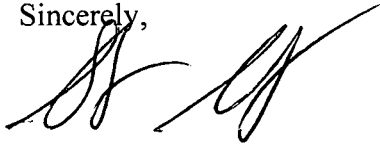
- Two copies of Notice and Acknowledgment of Receipt
- Summons
- Complaint
- Civil Case Coversheet and Addendum
- ADR Information Package
- Notice of Case Management Conference

Pursuant to Section 415.30 of California's Code of Civil Procedure, this constitutes effective service of the complaint and summons. Please complete the enclosed Notice and Acknowledgment of Receipt form for defendant Walmart Inc. as soon as possible, but no later than within 20 days from the date of this letter. Your failure to complete and return the forms within the allocated timeline may subject Walmart Inc. to liability for the payment of any expenses incurred in personally serving Walmart Inc.

Walmart Inc.
c/o Amanda Garcia/Gabriela Sanchez
January 9, 2023
Page 2 of 2

Should you have any questions in the interim, do not hesitate to contact the undersigned.

Sincerely,

A handwritten signature in black ink, appearing to be 'Shiraz Simonian', written over a horizontal line.

Shiraz Simonian, Esq.

Enclosure(s):

CERTIFICATE OF SERVICE

**Prichelle Turner vs. Walmart Inc., et al.
Our File No. 49359**

STATE OF CALIFORNIA, COUNTY OF ORANGE

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Orange, State of California. My business address is 18201 Von Karman Avenue, Suite 950, Irvine, CA 92612-1077.

On February 17, 2023, I served true copies of the following document(s) described as **NOTICE OF REMOVAL OF ACTION UNDER 28 U.S.C. §§ 1332, 1441, AND 1446 (DIVERSITY OF CITIZENSHIP)** on the interested parties in this action as follows:

Shiraz Simonian, Esq.
SIMONIAN & SIMONIAN, PLC
144 North Glendale Ave., Suite 228
Glendale, CA 91206
Telephone: 818-405-0080
Facsimile: 818-405-0082
E-Mail: shiraz@simonianlawfirm.com

Plaintiff, PRICHELLE TURNER

BY ELECTRONIC SERVICE: by transmitting via the Court's electronic filing and electronic service the document(s) listed above to the Counsel set forth above on this date pursuant to Administrative order 14-2 NEFCR 9 (a), and EDCR Rule 7.26.

BY E-MAIL OR ELECTRONIC TRANSMISSION: Pursuant to the E-Filing System of the United States District Court, Central District of California, to the parties at the e-mail addresses on the Court's website.

BY ELECTRONIC TRANSMISSION ONLY: ONLY BY ELECTRONIC TRANSMISSION. Only by e-mailing the document(s) to the persons at the e-mail address(es) listed based on notice provided, that during the Coronavirus (Covid-19) pandemic, this office will be working remotely, not able to send physical mail as usual, and is therefore using only electronic mail. No electronic message or other indication that the transmission was unsuccessful was received within a reasonable time after the transmission.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on February 17, 2023, at Irvine, California.

/s/ Johnetta Caldwell
Johnetta Caldwell

Case No.